

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ANDREW J. MAXWELL, not individually,)
but as Trustee for the estate of Eduardo Garcia) Case No. 1:20-cv-02402
and Julia Escamilla (nka Julia Garcia), et al.,)
)
Plaintiffs,) Judge Rebecca R. Pallmeyer
vs.) Judge Heather K. McShain
)
WELLS FARGO BANK, N.A.,)
)
Defendant.)

WELL FARGO'S MOTION TO EXTEND DISCOVERY DEADLINES

Defendant Wells Fargo Bank, N.A. (“Wells Fargo” or “the Bank”) hereby moves to extend the deadline for it to respond to Plaintiff Andrew J. Maxwell’s Requests for Admission (Set One), Requests for Production of Documents (Set One), and Interrogatories from July 12, 2021, to August 2, 2021. In support of this Motion, Wells Fargo states as follows:

1. Plaintiff served Wells Fargo with voluminous First Sets of Interrogatories, Requests for Production of Documents, and Requests for Admission on June 12, 2021 (together, “Discovery Requests”).

2. Specifically, Plaintiff served 58 Requests for Admission, 87 Requests for Production of Documents, and 25 Interrogatories.

3. Under the Federal Rules of Civil Procedure, responses to written discovery requests are to be served within thirty (30) days of receiving the requests. The current deadline for Wells Fargo's discovery responses and objections is July 12, 2021.

4. Counsel for Wells Fargo conferred with counsel for Plaintiff seeking a 30-day extension to respond to the Discovery Requests, citing, among other things, the need for additional

time to gather the information across various lines of business within the Bank and to observe the Bank's required protocols for approving and verifying responses to discovery.

5. Plaintiff did not consent to the extension. Counsel for Wells Fargo then shortened its request to a 21-day extension, but counsel for Plaintiff informed the undersigned that he did not consent to an extension of that length either. *See* Decl. of Angela A. Smedley, Ex. 1, filed concurrently herewith.

6. The extension is requested not for purposes of delay, but to provide Wells Fargo sufficient time to evaluate the scope of, and gather information responsive to, Plaintiff's Discovery Requests, which requires additional time beyond the July 12, 2021 deadline.

7. Wells Fargo has not previously sought to extend any discovery deadlines in this action pursuant to this Court's May 13 Order.

WHEREFORE, for the foregoing reasons and having shown good cause, Defendant Wells Fargo Bank, N.A. respectfully requests that the Court grant its Motion to Extend Discovery Deadlines, such that it may serve its objections and responses to Plaintiff's Discovery Requests up to and including August 2, 2021.

Dated: June 30, 2021

Respectfully submitted,

/s/ Angela A. Smedley

Angela A. Smedley (*pro hac vice*)

Winston & Strawn LLP

200 Park Avenue

New York, NY 10166

Phone: 212-294-6700

Fax: 212-294-4700

ASmedley@winston.com

Shawn R. Obi

Winston & Strawn LLP

333 South Grand Avenue

Los Angeles, CA 90071

Phone: 213-615-1700

Fax: 213-615-1750

Sobi@winston.com

Counsel for Wells Fargo Bank, N.A.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 30th day of June, 2021, the foregoing was filed electronically with the Clerk of the Court for the United States District Court for the Northern District of Illinois, and was served by operation of that Court's electronic filing system, upon the following:

Rusty A. Payton
Payton Legal Group
20 North Clark Street, Suite 3300
Chicago, IL 60602
Phone: 773-682-5210
info@payton.legal

Salvador J. Lopez
Robson & Lopez, LLC
180 West Washington Street, Suite 700
Chicago, IL 60602
Phone: 312-525-2166
lopez@robsonlopez.com

Nicholas H. Wooten
Nick Wooten, LLC
5125 Burnt Pine Drive
Conway, AR 72034
Phone: 833-937-6389
nick@nickwooten.com

Attorneys for Plaintiff

/s/ Angela A. Smedley